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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: OGNIBENE1

In re Application of:  
Olmes OGNIBENE

Appln. No.: 10/815,655

Filed: April 2, 2004

For: SINGLE-ACTING CYLINDER-  
PISTON UNIT OF PLUNGER TYPE

) Conf. No.: 8202  
)  
) Art Unit:  
)  
) Examiner:  
)  
) Washington, D.C.  
)  
) October 26, 2004  
)

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[ ] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114.

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

*(Check one of the boxes "i" and "ii" below:)*

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this IDS.

***(use one and delete other of following)***

☐ ii. A check (check no. \_\_\_\_\_) for the fee set forth in 37 CFR §1.17(p), presently believed to be \$180, is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

☐ ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant(s) state as follows under

37 CFR §1.97(e) for consideration of this IDS, that, upon information and belief, each item of information listed herein was either

*(Check one of the boxes "a" and "b" below)*

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this IDS.

***(use one and delete other of following and this note)***

A check (check no. \_\_\_\_\_) for/ Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR §1.17(p), presently believed to be \$180 is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

☒ 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

*(check boxes A and/or B and fill in blanks, if appropriate)*

☒ A. Document(s) AA is (are) U.S. patent(s) and/or published application(s). 37 CFR §1.98(a)(2)(ii) does not require the filing of legible copies of U.S. patents or U.S. patent application publications unless required by the Office.

☐ B. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and,

in accordance with 37 CFR \$1.98(c), only a copy of each of the latter documents is enclosed.

[ ] C. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

*(insert serial numbers and filing dates of prior applications)*

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b from the files of the prior application(s) or a fresh PTO/SB/08a listing these documents, and request that they be considered and made of record in accordance with 37 CFR \$1.98(d). Per 37 CFR \$1.98(d), copies of these documents need not be filed in this application.

[X] 3. Document(s) AD and AE is (are) not in the English language. In accordance with 37 CFR \$1.98(a)(3), Applicant(s) states:

[X] An English translation of each document AD and AE (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed. If a corresponding patent or application is being relied on, a line connecting the non-English-language document with its corresponding English-language document is drawn in the margin of the accompanying form PTO/SB/08a.

[X] A concise explanation of the relevance of document(s) AD and AE is found in the attached European search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

[ ] A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows:

*(insert concise explanation of relevance)*

[ ] A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on page(s) \_\_\_\_\_ of the specification.

[ ] A concise explanation of document(s) \_\_\_\_\_ can be found on the attached sheet.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[X] 5. Other information being provided for the examiner's consideration follows:

*European Search Report*

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10815,655
Filing Date	March 2, 2004
First Named Inventor	Olmes OGNIBENE
Group Art Unit	
Examiner Name	
Attorney Docket Number	OGNIBENE1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-2,967,512 A	01-10-1961	BORN RAYMOND W	
		US-			
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Number Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	AB	EP 0 902 196 A1	03-17-1999	VAN LEUTEREN, RONALDUS GERARDUS ELISABETH		
	AC	GB 812,313	04-22-1959	BENDIX AVIATION CORPORATION		
	AD	JP 56080512	07-01-1981	FUJIWARA MORIO		
	AE	JP 10169610	06-23-1998	NIWA SUSUMU		

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.